

AP-015 Order for Final Pretrial Conference – Rev. 01/06/2016

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA**

IN RE:  
Wayne Bailey, Inc.  
Debtor(s)

Bankruptcy Case No.:  
18-00284-5-SWH

John C. Bircher III, Trustee  
et al.

Adversary Proceeding No.:  
20-00026-5-SWH

Plaintiff(s)

vs.

Nationwide Agribusiness Insurance Company  
Defendant(s)

**ORDER FOR FINAL PRETRIAL CONFERENCE**

IT IS HEREBY ORDERED THAT:

(1) The final pretrial conference will be held in this adversary proceeding by telephone as follows:

DATE: Thursday, June 10, 2021

TIME: 10:00 AM

The conference will involve the following parties as indicated below:

Joseph Frost  
Pam McAfee  
Daniel Anderson

To join the conference call, please dial 1-877-336-1831, and enter the access code 2852289 # . If asked, please do not join the conference call as the host, instead, press the # key and wait for the conference to begin. The AT & T operator will ask you to state your name when the conference is about to begin.

(2) Each party shall be represented at the conference by the attorney who will conduct the trial for the party, and counsel shall have full authority to make admissions and disclosures of facts and to bind the client with respect to all matters pertaining to trial.

(3) Counsel shall prepare for the pretrial conference pursuant to Local Bankruptcy Rule 7016-1(b)(2), and shall be fully prepared to present to the court all information and documentation necessary for completion of the pretrial order.

(4) The participants at the final pretrial conference shall consider and take action on the following:

- a. the formulation and simplification of the issues, including the elimination of the frivolous claims or defenses;
- b. the admission of facts and of documents so as to avoid unnecessary proof at trial;
- c. stipulations regarding and the admissibility and authenticity of documents;
- d. identification and resolution of all foreseeable questions of admissibility of evidence;
- e. identification and marking of all exhibits;
- f. establishment of a final and binding list of witnesses;
- g. the need and schedule for filing and exchanging pretrial briefs;
- h. the possibility of settlement.

(5) After the pretrial conference a final pretrial order will be entered in the form specified by Local Bankruptcy Rule 7016–1(b)(3). The final pretrial order will be absolutely binding on all parties. Issues not listed in the pretrial order will not be tried; exhibits not marked and not identified will not be admitted; and witnesses not listed will not be allowed to testify absent exceptional circumstances.

DATED: November 4, 2020

Stephani W. Humrickhouse  
United States Bankruptcy Judge